IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO. 321 OF 2004

M/s.Lona Industries Ltd. .. Petitioner

versus

Bank of Maharashtra & ors. .. Respondents

...

Mr.G.S. Godbole for the petitioner.

Mr.Desai i/b M/s.Singh & Co. for the respondent nos.1 and 2.

Mr.A.H. Palekar, AGP for the respondent no.3.

CORAM : D.G. KARNIK, J

DATED : 27th August 2004

P.C:-

1. Heard the learned counsel for the petitioner and respondent.

2. In the order dated 24th June 2004, this Court recorded an undertaking given by the respondent to hand over possession of the suit premises to the petitioner by 31st July 2004.

3. This petition has been filed for the purpose of contempt as possession was not handed over on 31st July 2004 as undertaken to this Court. The learned counsel for the respondent states that the possession has been handed over to the petitioner on 9th August 2004 along with rent/compensation for the extended period also. The learned counsel for the petitioner confirms that the possession has been received along with compensation for the delayed period. The respondent has tendered unconditional apology for the delay of 9 days in handing over of the possession.

4. For the reasons stated in the affidavit for the delay is condoned. In view of this, Contempt Petition no longer survives and is disposed of.

D.G. KARNIK, J